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EXAMINER

HUYNH, CONG LAC T

ART UNIT	PAPER NUMBER
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11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/341,347	Applicant(s) SINGH ET AL.	
	Examiner Cong-Lac Huynh	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-16,18-31,33-48,50-58,60-68 and 70-84 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-16,18-31,33-48,50-58,60-68 and 70-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: amendment filed 8/29/03 to the application filed on 7/8/99, which is a national stage entry of PCT/SG98/00096 International Filing Date 11/27/98.
2. Claims 2, 17, 32, 49, 59, and 69 are canceled.
3. Claims 1, 3-16, 18-31, 33-48, 50-58, 60-68, 70-84 are pending in the case. Claims 1, 16, 31, 46, 56, 66, 76, 79, 82 are independent claims.
4. The objections of the claims as being misnumbered have been withdrawn in view of the claim renumbering.
5. The rejection of claim 55 under 35 USC 112, second paragraph remains since there is no correction of "said linking means" with "said linking" as suggested.
6. The rejections of claims 1, 4-10, 16, 19-25, 31, 34-40, 46-47, 54-57, 64-67, 74, 75 under 35 U.S.C. 102(e) as being anticipated by LaJoie have been withdrawn in view of the amendment.
7. The rejections of claims 76-84 under 35 U.S.C. 102(e) as being anticipated by Neel have been withdrawn in view of the amendment.
8. The rejections of claims 3, 18, 33, 50, 60, 70 under 35 U.S.C. 103(a) as being unpatentable over LaJoie and further in view of Gupta have been withdrawn in view of the amendment.
9. The rejections of claims 11-12, 26-27, 41-42, 48, 51, 58, 61, 68, 71 under 35 U.S.C. 103(a) as being unpatentable over LaJoie and further in view of Neel and Angles have been withdrawn in view of the amendment.

10. It is requested that Applicants indicate the cancellation of claim 69 in the claim list since Applicants state that claim 69 is canceled (Amendment, page 2) whereas claim 69 is still in the claim list as "original" (Amendment, page 16).

Claim Rejections - 35 USC § 112

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 55, 76-84 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 55, it is suggested that the claim language be changed to "said linking is dependent upon the content..." instead of "said linking means is dependent upon the content ..." since it is not reasonable that a *means* for performing linking step is dependent on the *content of the video data*.

Regarding independent claim 76, it is confusing why it needs to provide a defined time interval for the advertisement whereas said advertisement is a sub-interval of the animation, audio and/or video data as amended in the claimed limitation "said advertisement control link *providing a defined time-interval for said advertisement* which is a *sub-interval of the animation, audio and/or video data* and said sub-interval has determined start and stop times." The advertisement is *linked to a portion of the video*

data. Therefore, the time for the advertisement is merely corresponding to the sub-interval, not the whole interval.

Dependent claims 77-78 are rejected for fully incorporating the deficiencies of their base claim.

Claims 79-81, 82-84 are for the apparatus and the product of method claims 76-78, and are rejected under the same rationale.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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15. Claims 1, 4-10, 13-16, 19-25, 28-31, 34-40, 43-47, 52-57, 62-67, 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie et al. (US Pat No. 6,049,333, 4/11/00, filed 9/3/96) in view of Tuttle (US Pat No. 6,108,001, 8/22/00, filed 5/21/83).

Regarding independent claim 1 and its dependent claim 6, LaJoie discloses:

- providing time-sequence data where said time-sequence data is animation, audio, and/or video data (col 1, lines 5-12, 46-55: video is provided via telecasting where it was well known that the programs on television are time-sequence data)
- separately providing supplemental information, action, or both, from said time-sequence data (col 2, line 61 to col 3, line 3: data used to construct the event database is from data providers transmitted to the telecasting facility through suitable network link wherein said data is separate from the video data telecasted from the telecasting facility)
- linking said supplemental information, action, or both, with said time-sequence data during the playback of said time-sequence data (col 2, lines 18-36: “presenting on a television, information contained in an event database, wherein the displayed information pertains to televised events”; col 10, lines 30-54: the event whose content related to the video content telecasting is generated and displayed to user; col 3, lines 38-43: “simultaneously presenting video content and information from the event database on the viewer’s television when the

viewer requests information from the event database"; the fact that the video being presented to users and the related information, which is considered equivalent to the supplemental information, are displayed to users inherently shows the linking between these two data)

LaJoie does not explicitly disclose that said time-sequence data is provided during a defined time interval, said supplemental information, action or both is limited within said time sequence data in a sub-interval of the defined time interval of said time sequence data, said sub-interval having a determined start time and stop time within the time interval of said time-sequence data.

Instead LaJoie discloses simultaneously presenting video content, e.g., a conventional television program, and information from the database on the viewer's television when the viewer requests information from the event database. For example, the event database information may be displayed as a banner in the lower portion of the television screen, while the video content continues to play in the upper portion of the screen (col 3, lines 30-46).

Tuttle discloses a time interval for presenting the successive stories in the sequence (abstract, col 1, lines 41-56) where it was well known that the time interval provides the amount of time between two successive stories in the sequence based on the start times of the two successive stories, and where it was obvious that the start time of the second story can be also the stop time of the first story in the sequence data.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Tuttle into LaJoie since Tuttle teaches the time interval for

presenting the successive stories in the sequence providing the advantage of applying the time interval in presenting video content of the television programs in LaJoie. The fact that a time interval is defined for the successive stories in the sequence data suggests that the time interval can be divided into the sub-intervals for smaller units in the sequence. Furthermore, since it was well known that a time interval of the successive stories provides the amount of time between the two successive stories in the sequence based on the start times of the two successive stories, the start times of the two successive elements in the sub-interval be inherently provided. In other words, it is suggested that the start time and the stop time of the sub-interval be provided for the supplemental information provided to and limited in the sequence data.

Regarding claim 4, which is dependent on claim 1, LaJoie discloses that said supplemental information is content-linked with said time-sequence data (col 2, lines 31-36: "presenting on a television, information contained in an event database, wherein the displayed information *pertains to televised events ...*"; col 10, lines 44-54: the event database banner is automatically generated with the information from the event database that pertains to the television program to which the viewer tuned).

Regarding claim 5, which is dependent on claim 4, LaJoie discloses that said supplemental information is linked with said time-sequence data dependent upon on-the-fly analysis of the content of said time-sequence data during playback of said time-sequence data (col 10, lines 44-54: the event database banner is automatically

generated with the information from the event database that pertains to the television program to which the viewer tuned).

Regarding claims 7-9, which are dependent on claim 1, LaJoie discloses:

- said time-sequence data is provided by broadcast via a network (col 1, lines 5-12 and col 2, lines 1-40: video of TV programs is broadcast over the TV network)
- said supplemental information is provided remotely via a network (col 2, lines 61-67: the fact that the telecasting facility obtains data used to construct the event database from various data providers through a *conventional link*, a *satellite* or a *suitable network link* shows that said event information is provided remotely via a network)

Regarding claim 10, which is dependent on claim 1, LaJoie discloses that said supplemental information includes a displayed prompt with which a user can interact by user input (figure 9: the football theater includes icon #114 that allows a user to interact by inputting a user's selection, for example, war stories).

Claims 16, 19-25 are for an apparatus of method claims 1, 4-10, and therefore are rejected under the same rationale.

Claims 31, 34-40 are for a computer program product of method claims 1, 4-10, and therefore are rejected under the same rationale.

Regarding claim 13, which is dependent on claim 1, LaJoie discloses said time-sequence data and said supplemental information are linked by a link means (col 2, lines 18-16: the fact that the displayed information pertains the televised events shows the linking between the video televised and the displayed information and so suggests a link means for performing the linking function; col 3, lines 30-38: "the set-op terminal used in connection with the present invention is capable of simultaneously presenting video content and information from the event database on the viewer's television ...").

Regarding claim 14, which is dependent on claim 13, LaJoie discloses that two or more of said link means, said time-sequence data, and said supplemental information, action, or both, are initially co-located at their source (col 2, line 61 to col 3, line 7: the event database is transmitted to the set-op terminal along with the video content suggests that the event database and the video may be co-located at their source).

Regarding claim 15, which is dependent on claim 13, LaJoie discloses that two or more of said link means, said time-sequence data, and said supplemental information, action, or both, are initially remotely located at one or more source locations (col 2, lines 61-67: the fact that the event database which includes information displayed in conjunction with the displayed video is from various data providers that provide data to the telecasting facility through a conventional modem link, a satellite or a suitable network link shows that the event information and the video data are remotely located at different locations).

Claims 28-30 are for an apparatus of method claims 13-15, and therefore are rejected under the same rationale.

Claims 43-45 are for a computer program product of method claims 13-15, and therefore are rejected under the same rationale.

Regarding independent claim 46, and its dependent claim 47, LaJoie discloses:

- delivering said at least one of animation, audio, and video data for presentation to said user (col 2, lines 17-40 and col 3, lines 30-46: a user watches televised video)
- providing said value-added content being separate from said at least one of animation, audio and video data (col 2, line 61 to col 3, line 3: data used to construct the event database, considered as value-added content, is from data providers transmitted to the telecasting facility through suitable network link wherein said data is separate from the video data telecasted from the telecasting facility)
- providing linking means, separate from said at least one of animation, audio, and video data, for linking said value-added content with said at least one of animation, audio, and video data in a controllable and on-the-fly manner prior presentation of said at least one of animation, audio, and video data and said value-added content (col 2, lines 18-36: "presenting on a television, information contained in an event database, wherein the displayed information pertains to

televised events”; col 10, lines 30-54: the event whose content related to the video content telecasting is generated and displayed to user; col 3, lines 4-7: “the telecasting facility preferably includes computer systems that assemble data from one or more data providers to construct the event database, and *transmit the event database to set-up terminal along with the video content*”; the fact that the video being presented to users and the related information, which is considered equivalent to the value-added content, are displayed to users inherently shows the linking between these two data)

- presenting for said user said at least one of animation, audio, and video data and said value-added content (col 2, lines 18-36: “presenting on a television, information contained in an event database, wherein the displayed information pertains to televised events”; col 10, lines 30-54: the event whose content related to the video content telecasting is generated and displayed to user; col 3, lines 38-43: “simultaneously presenting video content and information from the event database on the viewer’s television when the viewer requests information from the event database”)

LaJoie does not explicitly disclose that said time-sequence data is provided during a defined time interval, said supplemental information, action or both is limited within said time sequence data in a sub-interval of the defined time interval of said time sequence data, said sub-interval having a determined start time and stop time within the time interval of said time-sequence data.

Instead LaJoie discloses simultaneously presenting video content, e.g., a conventional television program, and information from the database on the viewer's television when the viewer requests information from the event database. For example, the event database information may be displayed as a banner in the lower portion of the television screen, while the video content continues to play in the upper portion of the screen (col 3, lines 30-46).

Tuttle discloses a time interval for presenting the successive stories in the sequence (abstract, col 1, lines 41-56) where it was well known that the time interval provides the amount of time between two successive stories in the sequence based on the start times of the two successive stories, and where it was obvious that the start time of the second story can be also the stop time of the first story in the sequence data.

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Tuttle into LaJoie since Tuttle teaches the time interval for presenting the successive stories in the sequence providing the advantage of applying the time interval in presenting video content of the television programs in LaJoie. The fact that a time interval is defined for the successive stories in the sequence data suggests that the time interval can be divided into the sub-intervals for smaller units in the sequence. Furthermore, since it was well known that a time interval of the successive stories provides the amount of time between the two successive stories in the sequence based on the start times of the two successive stories, the start times of the two successive elements in the sub-interval be inherently provided. In other words,

it is suggested that the start time and the stop time of the sub-interval be included for the supplemental information provided to and limited in the sequence data.

Regarding claim 52, which is dependent on claim 46, LaJoie does not explicitly disclose that said value-added content includes a set of instructions for performing operations on a local apparatus or a remote apparatus linked with said local apparatus by a network. Instead LaJoie discloses that the event information includes an icon that allows a user to select from the menu (figure 9: the football theater includes icon #114 that allows a user to interact by inputting a user's selection, namely, war stories).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified LaJoie to include "said value-added content ... by a network" since the icon #114 allows a user to perform the select operation on the local apparatus, which is the TV.

Regarding claim 53, which is dependent on claim 47, LaJoie does not explicitly disclose that said value-added content is presented separately in a device for reproducing said at least one of animation, audio and video data.

Instead LaJoie discloses constructing a desired event database from data providers is performed separately before transmitted to the set-op terminal along with the video content (col 2, line 61 to col 3, line 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified LaJoie to include the feature "said value-added content is

presented separately in a device ...” since the fact that the event database is constructed separately from the video data suggests that the event information, which is equivalent to the value-added content, be presented separately in a device for any reproducing functions as desired.

Regarding claim 54, which is dependent on claim 47, LaJoie discloses that said value-added content is presented in or on said at least one of animation, audio and video data in a device for reproducing said at least one of animation, audio and video data (col 2, lines 18-36: “presenting on a television, information contained in an event database, wherein the displayed information pertains to televised events”; col 10, lines 30-54: the event whose content related to the video content telecasting is generated and displayed to user; col 3, lines 38-43: “simultaneously presenting video content and information from the event database on the viewer’s television when the viewer requests information from the event database”).

Regarding claim 55, which is dependent on claim 46, LaJoie discloses that said linking means is dependent upon the content said at least one of animation, audio, and video data (col 2, lines 18-36: “presenting on a television, information contained in an event database, wherein the displayed information pertains to televised events”).

Claims 56-57 are for an apparatus of method claims 46-47, and therefore are rejected under the same rationale.

Claims 62-65 are for an apparatus of method claims 52-55, and are rejected under the same rationale.

Claims 66-67 are for a computer program product of method claims 46-47, and therefore are rejected under the same rationale.

Claims 72-75 are for a computer program product of method claims 52-55, and therefore are rejected under the same rationale.

16. Claims 3, 18, 33, 50, 60, 70 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie in view of Tuttle as applied to claims 1, 16, 31, 46, 56 above, and further in view of Gupta et al. (US Pat No. 6,484,156, 11/19/02, filed 11/15/99, priority filed 9/15/98).

Regarding claim 3, which is dependent on claim 1, LaJoie discloses that said supplemental information is linked with said time-sequence data (col 2, lines 16-38) but LaJoie does not disclose that said linking is done by annotation information associated with said time-sequence data.

Gupta discloses the association of an annotation with the current media stream being presented to the user (figure 9; col 12, lines 20-33).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Gupta into LaJoie to enhance the display of the video of LaJoie with the annotation data for conveying more data to users while telecasting video.

Claim 18 is for an apparatus of method claim 3, and therefore is rejected under the same rationale.

Claim 33 is for a computer program product of method claim 3, and therefore is rejected under the same rationale.

Regarding claim 50, which is dependent on claim 46, LaJoie discloses that the value-added content is linked with the video data (col 2, lines 16-38: the event information pertains the video content televised to viewers) but LaJoie does not disclose that said linking is done by annotation information associated with said time-sequence data.

Gupta discloses the association of an annotation with the current media stream being presented to the user (figure 9; col 12, lines 20-33).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Gupta into LaJoie to enhance the display of the video of LaJoie with the annotation data for conveying more useful data to users while telecasting video.

Claims 60 and 70 are for an apparatus and a computer program product of method claim 50, and are rejected under the same rationale.

17. Claims 11-12, 26-27, 41-42, 48, 51, 58, 61, 68, 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaJoie in view of Tuttle as applied to claim 1 above, and further in view of Neel et al. (US Pat No. 5,838,314, 11/17/98, filed 2/21/96) and Angles et al. (US Pat No. 5,933,811, 8/3/99, filed 8/20/96).

Regarding claims 11-12, LaJoie and Tuttle do not disclose that said supplemental information includes a link to a remote location, wherein said link is a universal resource locator (URL).

Neel provides users the ability of watching video and a related advertisement (col 4, lines 1-30; col 5, lines 15-30). However, Neel does not disclose that said advertisement includes a link to a remote location, wherein said link is a universal resource locator (URL).

Angles discloses that the advertisement delivered to users can contain hyperlinks to other information for customers who wish to obtain additional information about an advertised product (col 4, lines 6-16; col 15, lines 43-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Neel and Angles into LaJoie for the following reason.

Neel provides the feature of watching video and the related advertisement wherein the related advertisement is considered equivalent to supplemental information of the

televised video (as in LaJoie). Angles provides the feature of containing hyperlinks in the advertisements delivered to users wherein said hyperlinks are URLs that link to remotes locations. The combination of Neel and Angles into LaJoie would enhance the convenience for users to watch video and further obtain more information of a related product advertisement concurrently.

Claims 26-27 are for an apparatus of method claims 11-12, and therefore are rejected under the same rationale.

Claims 41-42 are for a computer program product of method claims 11-12, and therefore are rejected under the same rationale.

Regarding claims 48 and 51, which are dependent on claim 46, LaJoie does not disclose that the value-added content is an advertisement and includes a universal resource locator (URL).

As mentioned in claims 11-12 above, Neel provides users the ability of watching video and a related advertisement (col 4, lines 1-30; col 5, lines 15-30). However, Neel does not disclose that said advertisement includes a link to a remote location, wherein said link is a universal resource locator (URL).

Angles discloses that the advertisement delivered to users can contain hyperlinks to other information for customers who wish to obtain additional information about an advertised product (col 4, lines 6-16; col 15, lines 43-55).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Neel and Angles into LaJoie for the following reason. Neel provides the feature of watching video and the related advertisement, which is equivalent to the supplement information to the televised video in LaJoie. Angles discloses hyperlinks in the advertisements delivered to users wherein said hyperlinks are URLs that link to remotes locations. The combination of Neel and Angles into LaJoie would enhance the convenience for users to watch video and further obtain more information of a related product advertisement concurrently since the advertisement which relates to the content of the video being presented to a viewer is considered equivalent to the value-added content related to the video data.

Claims 58, 61 are for an apparatus of method claims 48, 51, and therefore are rejected under the same rationale.

Claims 68, 71 are for a computer program product of method claims 48, 51, and therefore are rejected under the same rationale.

18. Claims 76-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neel et al. (US Pat No. 5,838,314, 11/17/98, filed 2/21/96) in view of Tuttle (US Pat No. 6,108,001, 8/22/00, filed 5/21/83).

Regarding independent claim 76, Neel discloses:

- delivering said animation, audio, and/or video data for presentation (abstract; col 5, lines 15-30; col 17, lines 45-50)
- delivering a separate advertisement related to said animation, audio and/or video data (abstract; col 5, lines 15-30)
- presenting for a user said advertisement during presentation of said animation, audio, and/or video data dependent upon said advertisement control link (col 5, lines 15-30)
- providing an advertisement control link for linking said separate advertisement with said animation, audio, and/or video data (col 5, lines 15-30; the fact that the related advertisement and the video are presented to users inherently shows that such a linking is performed)

Neel does not disclose that said advertisement control link providing a defined time-interval for said advertisement, which is a sub-interval of the animation, audio and/or video data and said sub-interval has determined start and stop times.

Tuttle discloses the time interval for presenting the successive stories in the sequence (abstract, col 1, lines 41-56) where it was well known that *the time interval provides the amount of time between two successive stories in the sequence based on the start time and the stop time of a story where the stop time of the first story is the start time of the second story.*

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Tuttle into Neel since Tuttle teaches the time interval for presenting the successive stories in the sequence providing the advantage of applying

the time interval in presenting animation, audio, and/or video data in Neel. The fact that the time interval is defined for successive stories in the sequence data suggests that the time interval can be divided into the sub-intervals for the smaller elements in the sequence data. The linking of the advertisement with animation, audio and/or video data where the video data where the advertisement is related to the video data and is delivered after the delivery of the video data suggests that the advertisement is a sub-interval of the video data. Furthermore, since it was well known that a time interval of the successive stories provides the amount of time between the two successive stories in the sequence based on the start times of the two successive stories, the start times of the two successive elements in the sub-interval be inherently provided. In other words, it is suggested that the start time and the stop time of the sub-interval be included for the advertisement provided to and limited in the sequence data.

Regarding claim 77, which is dependent on claim 76, Neel discloses that said advertisement is capable of connecting a user with a remote location via a network by user interaction with said advertisement (col 12, lines 47-67; col 19, lines 13-27).

Regarding claim 78, which is dependent on claim 77, Neel discloses the step of vending a product or service by means of electronic commerce or contacting a call center dependent upon said advertisement (col 19, lines 13-35: the interactive advertisement is used to purchase a service or a product where the user can call the front desk for assistance or the process of the product payment).

Claims 79-81 are for an apparatus of method claims 76-78, and are rejected under the same rationale.

Claims 82-84 are for a computer program product of method claims 76-78, and are rejected under the same rationale.

Response to Arguments

19. Applicant's arguments with respect to claims 1, 3-16, 18-31, 33-48, 50-58, 60-68, 70-84 have been considered but are moot in view of the new ground(s) of rejection.

Applicants argue that the start time and the stop time referred to the TV guide in LaJoie have no relevance to the time interval of the supplemental information or action or both which is linked to the time sequence data and particularly since the supplemental information, action, or both takes place over a particular sub-interval of time (Remarks, page 22).

Examiner agrees.

However, LaJoie does disclose *simultaneously presenting video content*, e.g., a conventional television program, *and information from the database* on the viewer's television when the viewer requests information from the event database. For example, the event database *information may be displayed as a banner in the lower portion* of the

television screen, *while the video content continues to play in the upper portion of the screen (col 3, lines 30-46).*

Tuttle discloses a time interval for presenting the successive stories in the sequence (abstract, col 1, lines 41-56) where it was *well known that the time interval provides the amount of time between two successive stories in the sequence based on the start times of the two successive stories*, and where it was obvious that *the start time of the second story can be also the stop time of the first story in the sequence data.*

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Tuttle into LaJoie since Tuttle teaches the time interval for presenting the successive stories in the sequence providing the advantage of applying the time interval in presenting video content of the television programs in LaJoie. The fact that a time interval is defined for the successive stories in the sequence data suggests that the time interval can be divided into the sub-intervals for smaller elements in the sequence data. Furthermore, since it was well known that a time interval of the successive stories provides the amount of time between the two successive stories in the sequence *based on the start times of the two successive stories, the start times of the two successive elements in the sub-interval be inherently provided.* In other words, it is suggested that the start time and the stop time of the sub-interval as in Tuttle be provided for the supplemental information provided to and limited in the sequence data as in LaJoie.

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bolosky et al. (US Pat No. 5,699,503, 12/16/97, filed 8/26/96, priority 5/9/95).

Citta et al. (US Pat No. 5,181,112, 1/19/93, filed 3/11/91).

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 707-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9000.

clh
1/19/04



**STEPHEN S. HONG
PRIMARY EXAMINER**